

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, JANUARY 15, 1969

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, January 15, 1969, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON, KIRSTEN,
SCHAFFER and HUNNELL (Mayor)

Also present: City Manager Graves, Assistant City Manager Peterson, City Attorney Mullen and Planning Director Schroeder.

PLEDGE

Mayor Hunnell led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Brown, Kirsten second, the Minutes of January 2, 1969 were approved as written and mailed after making the following corrections: On page 3, paragraph "Sale of Bonds - Agreement" add to the end of the third sentence "for a sum of \$4,500." On page 4, change the first sentence in the second paragraph to read, "Councilman Brown then moved approval of the extension of the existing water line in Westwood Avenue to Lake Street."

PUBLIC HEARINGS

UNIFORM
BUILDING
CODE

ORD. NO. 878
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Hunnell called for the public hearing on the proposal to adopt the 1967 Edition of the Uniform Building Code. Mr. Ted Molfino, 1701 Edgewood Drive, spoke stating he was not opposed to adopting the 1967 Edition of the Uniform Building Code but he was opposed to adoption of the 1967 fee schedule. There being no others in the audience who wished to speak on the matter the public portion of the hearing was closed.

The Council discussed at length the 1967 Edition fee schedule, as it is a substantial increase over the 1964 schedule which the City is presently using. Both Councilman Culbertson and Councilman Brown felt the present fee schedule should be maintained as they did not feel such a large increase was warranted at this time. Councilman Kirsten felt the 1967 fee schedule should be adopted to offset increased costs to the City. Councilman Brown then moved introduction of Ordinance No. 878 adopting the "Uniform Building Code, 1967 Edition" after changing the ordinance to provide that the 1964 fee schedule remain in effect rather than the 1967 fee schedule. The motion was seconded by Councilman Culbertson. After further discussion, Councilman Culbertson moved the motion be amended and the ordinance changed to provide that all building fees remain as they presently are under the 1964 Edition of the "Uniform Building Code" except the plan-check fee which shall be based upon the fee schedule of the 1967 Edition. The amendment to the motion was seconded by

Minutes of January 15, 1969, continued

Councilman Schaffer and carried by the following vote:

Ayes: Councilmen - Culbertson, Schaffer and Hunnell

Noes: Councilmen - Brown and Kirsten

The Mayor then called for the vote on the original motion as amended, thereby introducing Ordinance No. 878 adopting the "Uniform Building Code, 1967 Edition," with certain amendments. The motion carried by the following vote:

Ayes: Councilmen - Culbertson, Schaffer and Hunnell

Noes: Councilmen - Brown and Kirsten

UNIFORM
PLUMBING
CODE

ORD. NO. 879
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Hunnell called for the public hearing on the proposal to adopt the "International Association of Plumbing and Mechanical Officials Uniform Plumbing Code, 1967 Edition." Mr. Ted Molfino, 1701 Edgewood Drive, spoke again, stating he was opposed to the proposed increased fees as set forth in the 1967 Edition of the Uniform Plumbing Code as well as the proposed fees of the 1967 Edition of the Uniform Mechanical Code. The City Manager explained that the plumbing permit fees have not been increased since 1961, yet the City's costs have increased. It was determined that the 1967 fee schedule in the Uniform Plumbing Code was the same as the 1964 fee schedule. The City Manager suggested that the 1964-67 fee schedule be adopted thereby placing the Plumbing Code fee schedule on the same basis as the Building Code.

Councilman Schaffer then moved introduction of Ordinance No. 879 adopting the 1967 Edition of the "International Association of Plumbing and Mechanical Officials Uniform Plumbing Code" with certain amendments and additions as set forth by the City of Lodi. The motion was seconded by Councilman Kirsten and carried by unanimous vote.

UNIFORM
MECHANICAL
CODE

ORD. NO. 880
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Hunnell called for the public hearing on the proposal to adopt the 1967 Edition of the "Uniform Mechanical Code." Mr. Herb Lehr, 1230 Edgewood Drive, asked how the proposed fees compare with fees charged in Sacramento County. Chief Building Inspector Paul McClure said he was not sure. No one spoke in favor of or against the proposal and the public portion of the hearing was closed.

City Manager Graves explained that the Building Code has heretofore included the Mechanical Code. This would be the first time the City has adopted a separate Uniform Mechanical Code; therefore, it was difficult to recommend a fee schedule with no experience to base it on. He

Minutes of January 15, 1969, continued

suggested the basic permit fee be \$3 as set forth in the 1967 Edition and all other fees established at one-half the recommended 1967 schedule. After further discussion, Councilman Kirsten moved introduction of Ordinance No. 880 adopting the "Uniform Mechanical Code, 1967 Edition," after changing the ordinance to state the basic permit fee shall be \$3 and all other charges shall be one-half of the 1967 fee schedule. The motion was seconded by Councilman Culbertson and carried by unanimous vote.

PLANNING COMMISSION

At its meeting of January 6, 1969, the City Planning Commission considered a request of Mr. Don Morita by Meyer and Baumbach, Consulting Engineers, for a change in zoning from R-2, Single-Family Residential District to the C-1, Neighborhood-Commercial District for parcels located at the southeast corner of North Ham Lane and West Lockeford Street. After consideration, the City Planning Commission modified the request and recommended approval of a change in zoning from the R-2 District to the C-1 and R-~~MD~~^{MD} Districts. On motion of Councilman Brown, Kirsten second, the matter was set for public hearing on February 5, 1969, as recommended by the City Planning Commission.

OTHER ACTIONS

The Planning Commission also took the following actions of interest to the City Council:

1. Approved the request of Mr. Emil Heinrich for a variance to reduce the required 20-foot front yard at 2025 Jackson Court in an area zoned R-1, with the condition that a side facing garage with a driveway of a minimum of 20 feet be provided.
2. Recommended the approval of the referral by the San Joaquin County Planning Commission of the request of Mr. Arthur Lind for a use permit for truck maintenance and storage at the southeast corner of Woodbridge Road and the U.S. 50-99 Freeway in an area zoned I-PA, Interim-Protected Agriculture.
3. Approved the request of Ticknor Development Company by Mr. Albert Stirm for a variance to permit the erection of a detached accessory building on the front one-half of the lot at 251 Ticknor Court in an area zoned R-1.

COMMUNICATIONS

GREYHOUND APPLICATION

A notice of application for rate increase by Western Greyhound Lines was read. No action was taken.

PUC DECISION RE RATE INCREASE

A decision of the Public Utilities Commission was read regarding the requested rate increase by Western Greyhound Lines, Transcontinental Bus System, Inc., American Buslines, Inc. and Continental Pacific Lines.

Minutes of January 15, 1969, continued

PUC
HEARING

Notice of hearing before the Public Utilities Commission to consider application of Southern Pacific Company for authority to maintain passenger fares between San Francisco-Oakland-Sacramento and Los Angeles areas on no lower a level than presently maintained between other points on its system was read. No action taken.

ABC
LICENSE

The following applications for Alcoholic Beverage Licenses were noted:

1. Application of Delmar A. Reimche and Mervin N. Reimche, Jr., person to person transfer, on sale beer and wine, public premises, for Rex Pool Hall, 9 North Sacramento Street.
2. Application of Amador G. Leal, Jr., person to person transfer, temporary license, on sale beer and wine eating place, for the El Sombrero, 122 North Sacramento Street.
3. Application of Lena E. Wylie, person to person transfer, dropping spouse, on sale beer and wine, public premises, 27 Club, 27 North Sacramento Street.

SJ ADVISORY
PLANNING ASSN
AMENDMENTS
APPROVED

City Manager Graves read a letter from Supervisor Loren Powell, Chairman of the Cities and County of San Joaquin Advisory Planning Association requesting all member agencies to adopt amendments to the Agreement and By-Laws of that organization as follows: (1) Provide recognition of the Economical Development Administration of San Joaquin County by the Association as an ex-officio member; (2) eliminate provision that the Secretary appoint a Recording Secretary from the same member agency as the Secretary; and (3) provide description of the duties and responsibilities of the coordinator and make provision whereby the coordinator may, at the option of the Secretary, be appointed Recording Secretary.

On motion of Councilman Culbertson, Kirsten second, the City Council approved the above amendments and authorized the Mayor to execute a new agreement on behalf of the City.

KIRSTEN
APPOINTED
TO REGIONAL
ADVISORY BD

City Manager Graves reported that on January 13, 1969, the City Representatives on the Regional Advisory Board on Criminal Justice (which includes the Cities in Merced, San Joaquin and Stanislaus Counties) met to select four city representatives. Representatives elected to serve on the Regional Advisory Board on Criminal Justice were as follows: Raymond C. Simon, City of Modesto; Ralph H. Shannon, City of Merced; Jerald Kirsten, City of Lodi and John Ronngren, City of Oakdale.

REGIONAL WATER
QUALITY CONTROL
BOARD

City Manager Graves also read a resolution adopted by the Central Valley Regional Water Quality Control Board on December 13, 1968, rescinding the Cease and Desist Order previously issued against the City of Lodi.

Minutes of January 15, 1969, continued

SIGNAL LIGHTS
REQUESTED -
HAM - TURNER RD.

Mayor Hunnell read a letter received from Mrs. Carol Muller requesting installation of signal lights at the school crossing at Turner Road and Ham Lane in the vicinity of Lakewood School. The matter was referred to the staff for study and report back to the Council.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$590,313.07 were approved on motion of Councilman Culbertson, Schaffer second.

MAINTENANCE
AGREEMENT -
P.S. BUILDING

The City Manager read a memorandum received from the Public Works Director requesting Council approval of a Service Agreement with Johnson Service Company in the amount of \$1,071.84 for a 12-month period for maintenance of air-conditioning controls in the Public Safety Building. The City Manager recommended approval of the agreement. On motion of Councilman Kirsten, Brown second, the City Council approved the service agreement with Johnson Service Company in the amount of \$1,071.84 and authorized the City Manager to execute same on behalf of the City.

SANITARY CITY
DISPOSAL CONTRACT
RENEWED

The ten-year contract with the Sanitary City Disposal Company expired January 2, 1969 and the City Manager recommended renewal of the contract for another ten years. Mr. Rudy Vaccarezza, co-partner, Sanitary City Disposal Company, stated they would like to have the contract renewed for a period of 20 years rather than 10 years. After discussion, the Council, on motion of Councilman Schaffer, Brown second, renewed the contract for garbage collection with the Sanitary City Disposal Company for a period of ten years. Councilman Kirsten did not participate in the discussion and abstained from voting on the matter because of a possible conflict of interest.

MULTI-VIEW
CABLE TV
REORGANIZE

RES. NO. 3239

The City Manager read a letter from Multi-View Systems, Inc., who has the cable television franchise in the City of Lodi, proposing to enter into a "Tax Free Reorganization" with National Student Marketing Corporation. Mr. Gordon Rock of Multi-View Systems, Inc. stated the reorganization would mean that the Multi-View Systems, Inc. would be a wholly-owned subsidiary of National Student Marketing Corporation and the present officers of Multi-View would remain under contract with NSMC. He stated that all stockholders of Multi-View have agreed to the reorganization. Councilman Kirsten then moved adoption of Resolution No. 3239 approving the reorganization of Multi-View Systems, Inc. with National Student Marketing Corporation. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

LIABILITY
INSURANCE

City Manager Graves explained that the City's Agent of Record, Mr. Max Elson, had submitted a quotation for Comprehensive General Liability Insurance coverage for 1969. On motion of Councilman Brown, Kirsten second,

Minutes of January 15, 1969, continued

the City Council accepted the liability insurance coverage as recommended by Mr. Elson for a premium of \$16,055.

VANDALISM -
MALICIOUS
MISCHIEF
COVERAGE

Mr. Graves stated that Mr. Ken Lobaugh, the City's agent for fire coverage, had submitted a quotation for vandalism and malicious mischief coverage for a five-year period. The premium is \$1,364 for five years or \$273 per annum. The City Manager recommended approval of the coverage. On motion of Councilman Culbertson, Brown second, the Council accepted the vandalism and malicious mischief coverage for a premium of \$1,364 for five years.

ACCEPT STREETS
ROYAL CREST
UNIT #1

RES. NO. 3240

City Manager Graves reported that subdivision improvements in the Royal Crest Unit No. 1 Subdivision had been completed in accordance with plans and specifications and it was now in order to accept the streets therein for inclusion in the City street system. On motion of Councilman Brown, Kirsten second, the City Council adopted Resolution No. 3240 accepting the streets in Royal Crest Unit No. 1 Subdivision as public streets. Councilman Schaffer abstained from voting on the matter because of a possible conflict of interest.

UNIFORM
FIRE CODE

On motion of Councilman Culbertson, Schaffer second, the City Council set the proposal to adopt the Uniform Fire Code for public hearing on February 5, 1969.

ON-SITE FIRE
PROTECTION
REQUIREMENTS

The City Manager presented a proposed ordinance establishing requirements for on-site fire protection facilities prior to issuance of building permits and recommended it for adoption. The provisions of the ordinance apply to large parcels of property. (Copies of the proposed ordinance had been received by the Council prior to the meeting.) Mr. Graves reported that an inspection by the American Insurance Association disclosed that some industrial properties along South Sacramento Street are deficient in providing fire hydrants and access on the private property. The AIA consider fire hydrants necessary whenever buildings extend more than 300 feet from the public right of way where the City maintains the fire hydrants. Initially the City facilities were adequate, but since the industries have expanded over the years, the buildings are beyond the 300 feet. He stated that conditions such as this could adversely affect the City's fire rating and this could in turn affect the City's insurance premium rates. He also stressed that it is important to make developers aware of on-site requirements when they obtain a building permit. After discussion by the Council, the matter was continued to the meeting of February 5, 1969.

BUDGET
OVERRUNS

The City Manager reported that budget estimates for capital improvement projects are generally based on preliminary engineering estimates and it is not unusual for the actual construction price to either overrun or underrun these estimates. In the case of overruns, he stated that he is attempting to systemize the accounting procedure by requiring an approval of the overrun be

Minutes of January 15, 1969, continued

furnished to the Finance Director so that a red balance can be adjusted. He requested a determination from the Council as to whether or not it wished to review and approve each overrun. In the past, the City Manager has reviewed and approved overruns except in cases of exceptionally large expenditures for which he has requested Council approval.

Councilmen Brown and Schaffer indicated an interest in knowing the total cost of City projects. Mr. Graves pointed out that the total cost of a project is not the amount awarded the contractor, but included in the total cost are all of the costs to the City such as staff time and other miscellaneous items. He stated such information can be furnished, but it does require staff time for preparation. Since staffing is limited, the Council must determine if the expense is warranted. After further discussion, Mr. Graves suggested the Council tour the Finance Office to observe the operation so that they might better understand the City's accounting system. The Council then agreed to continue the discussion until after they have toured the Finance Office. The tour was scheduled for February 18, 1969.

ADDENDUM -
PUMP & MOTOR
SPECIFICATIONS

City Manager Graves requested approval of an addendum to the specifications for a pump and motor for Well #14 which were approved by the Council at the meeting of January 2, 1969. The addendum would add a pump and motor to the previously approved specifications. On motion of Councilman Kirsten, Schaffer second, the Council approved the addendum to the specifications for a pump and motor.

SPECS -
WELL #15

The City Manager presented specifications for Well #15. On motion of Councilman Kirsten, Schaffer second, the specifications were approved and calling for bids authorized.

SPECS -
CAPACITORS,
RACKS &
EQUIPMENT

On motion of Councilman Schaffer, Culbertson second, the Council approved specifications for Capacitors, Racks and Power Factor Meter Equipment and authorized advertising for bids thereon.

POPULATION
ESTIMATE
AUTHORIZED

Mr. Graves recommended that the City obtain a population estimate from the State Department of Finance; the cost would be \$340. On motion of Councilman Schaffer, Brown second, the Council authorized the City staff to contract with the State Department of Finance for a population estimate.

CHURCH STREET
REPORT

The City Manager presented a report prepared by the Public Works Director with regards to the North Church Street sidewalk repairs. The Council requested they be furnished with a copy of the report.

Minutes of January 15, 1969, continued

PLANNING DEPT.
COMMENDED

Councilman Schaffer commended the Planning Director and his staff for the manner in which they handled the distribution of the recently adopted amendments to the Zoning Ordinance.

ORDINANCES

REZONES 112 W.
TOKAY STREET

ORD. NO. 881
ADOPTED

ORDINANCE NO. 881, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING CERTAIN PROPERTY LOCATED AT 112 WEST TOKAY STREET TO BE IN THE R-2, SINGLE-FAMILY RESIDENTIAL DISTRICT," having been introduced at the meeting of January 2, 1969, was brought up for passage on motion of Councilman Kirsten, Schaffer second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Kirsten,
Schaffer and Hunnell

Noes: Councilmen - None

Absent: Councilmen - None

REZONES PARCELS
BETWEEN 515 - 723
W. KETTLEMAN

ORD. NO. 882
ADOPTED

ORDINANCE NO. 882, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING CERTAIN PARCELS ON THE NORTH SIDE OF KETTLEMAN LANE BETWEEN 515 - 723 WEST KETTLEMAN LANE TO BE IN THE R-MD, MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT," having been introduced at the meeting of January 2, 1969, was brought up for passage on motion of Councilman Brown, Schaffer second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Kirsten,
Schaffer and Hunnell

Noes: Councilmen - None

Absent: Councilmen - None

REZONES PARCEL
ON S SIDE OF
EAST ELM

ORD. NO. 883
ADOPTED

ORDINANCE NO. 883, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING A CERTAIN PARCEL ON SOUTH SIDE OF EAST ELM STREET TO BE IN THE C-2, GENERAL-COMMERCIAL DISTRICT," having been introduced at the meeting of January 2, 1969, was brought up for passage on motion of Councilman Culbertson, Schaffer second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Kirsten,
Schaffer and Hunnell

Noes: Councilmen - None

Absent: Councilmen - None


Minutes of January 15, 1969, continued

EXECUTIVE
SESSION

At 10:45 p.m. the City Council adjourned to executive session.

ADJOURNMENT

The Council reconvened at 10:55 p.m. and the Mayor adjourned the meeting.


Attest: BESSIE L. BENNETT
City Clerk